



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/594,586

06/15/2000

Joseph M. Cannon

Cannon 102-91-49

9026

32498

7590

09/10/2007

CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC

ATTN: JOHN CURTIN

P.O. BOX 1995

VIENNA, VA 22183

EXAMINER

MILORD, MARCEAU

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

09/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/594,586

Applicant(s)

CANNON ET AL.

Examiner

Marceau Milord

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 15 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon et al (US Patent No 6085098) in view of Griffith et al (US Patent No 5812953).

Regarding claims 1 and 5, Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4) comprising: displaying wireless device settings (22 of fig. 2, 47 of fig. 4; col. 19, lines 15-43; col. 3, line 42- col. 4, line 18; col. 4, lines 21-64; col. 5, lines 15-63).

However, Moon et al does not specifically disclose the step of transmitting selected wireless device settings to a wireless service provider.

On the other hand, Griffith et al, from the same field of endeavor, discloses an apparatus for activating a cellular telephone within a cellular telecommunications network. A PCMCIA card interacts with a controller to display required programming information and questions. A user of the cellular telephone inputs responses to questions on a display. The user responses are

Art Unit: 2618

transmitted to a system administrator at a customer activation center via a mobile telephone switching office in the cellular telecommunications network. The system administrator provides any necessary information for activating the cellular telephone. Information for the user may be shown on either the display of the cellular telephone or on a display of the personal computer. The user may input information and responses to questions via a user input device provided as part of the display or as part of the personal computer. User input is provided to the cellular telephone to activate and program the cellular telephone for operation on the cellular telecommunications network (col. 4, lines 11-31; col. 6, line 6, line 40-col. 7, line 27; col. 10, lines 6-24; col. 12, lines 31-67). It is clearly stated that the information is transmitted to a wireless service provider. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Griffith to the communication system of Moon in order to guide a user through applying for service, programming and activation of the cellular telephone.

Regarding claim 2, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), comprising transmitting the substantially same settings to a wireless device (col. 4, lines 5-56).

Regarding claim 3, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the wireless device comprises a cellular telephone (col. 6, lines 6-19).

Regarding claim 4, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the wireless device comprises a cordless telephone (col. 3, lines 6-19; col. 4, lines 5-18).

Art Unit: 2618

Regarding claim 6, Moon et al discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein displaying comprises displaying the settings within an e-mail menu (col. 4, lines 13-56; col. 6, lines 14-30).

Regarding claim 7, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein displaying comprises displaying the settings within a PDA menu (col. 3, lines 26-57).

Regarding claim 8, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein displaying comprises displaying the settings within a wireless device menu (col. 4, lines col. 5, lines 24-53).

Regarding claim 9, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein transmitting comprises transmitting the selected settings according to a schedule (col. 5, lines 6-53).

Regarding claim 10, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein transmitting comprises repeatedly transmitting the selected settings until the wireless device receives the transmission (col. 5, lines 16-53).

Regarding claim 11, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings are transmitted to a wireless device identified by a wireless device communications number (col. 5, line 24- col. 6, line 18).

Art Unit: 2618

Regarding claim 12, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the communications number comprises a telephone number (col. 5, line 24- col. 6, line 30).

Regarding claim 13, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise an existing configuration (col. 4, lines 19-56; col. 5, line 6- col. 6, line 30).

Regarding claim 14, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise a new configuration (col. 4, lines 19-56; col. 5, line 6- col. 6, line 30).

Regarding claim 15, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise cellular telephone settings (col. 6, lines 6-19).

Regarding claim 16, Moon et al as modified discloses a Moon et al discloses a method for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise cordless telephone settings (col. 3, lines 6-19; col. 4, lines 5-18).

Regarding claims 17 and 21, Moon et al discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), comprising: a configuration interface adapted to display wireless device settings (22 of fig. 2, 47 of fig. 4; col. 19, lines 15-43; col. 3, line 42- col. 4, line 18); col. 4, lines 21-64; col. 5, lines 15-63).

However, Moon et al does not specifically disclose the step of transmitting selected wireless device settings to a wireless service provider.

Art Unit: 2618

On the other hand, Griffith et al, from the same field of endeavor, discloses an apparatus for activating a cellular telephone within a cellular telecommunications network. A PCMCIA card interacts with a controller to display required programming information and questions. A user of the cellular telephone inputs responses to questions on a display. The user responses are transmitted to a system administrator at a customer activation center via a mobile telephone switching office in the cellular telecommunications network. The system administrator provides any necessary information for activating the cellular telephone. Information for the user may be shown on either the display of the cellular telephone or on a display of the personal computer. The user may input information and responses to questions via a user input device provided as part of the display or as part of the personal computer. User input is provided to the cellular telephone to activate and program the cellular telephone for operation on the cellular telecommunications network (col. 4, lines 11-31; col. 6, line 6, line 40-col. 7, line 27; col. 10, lines 6-24; col. 12, lines 31-67). It is clearly stated that the information is transmitted to a wireless service provider. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Griffith to the communication system of Moon in order to guide a user through applying for service, programming and activation of the cellular telephone.

Regarding claim 18, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), comprising a wireless service provider adapted to transmit substantially the same selected settings to a wireless device (col. 4, lines 5-56).

Art Unit: 2618

Regarding claim 19, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the wireless device comprises a cellular telephone (col. 6, lines 6-19).

Regarding claim 20, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the wireless device comprises a cordless telephone (col. 3, lines 6-19; col. 4, lines 5-18).

Regarding claim 22, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the interface is adapted to display the settings within an e-mail menu (col. 4, lines 13-56; col. 6, lines 14-30).

Regarding claim 23, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the interface is adapted to display the settings within a PDA menu (col. 3, lines 26-57).

Regarding claim 24, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the interface is adapted to display the settings within a wireless device menu (col. 4, lines col. 5, lines 24-53).

Regarding claim 25, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the provider is adapted to transmit the selected settings according to a schedule (col. 5, lines 6-53).

Regarding claim 26, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the provider is adapted to repeatedly transmit the selected settings until the wireless device receives the transmission (col. 5, lines 16-53).

Regarding claim 27, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the provider is adapted to transmit the selected settings to the wireless device upon receiving a wireless device communications number which identifies the wireless device (col. 4, lines 5-56).

Regarding claim 28, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the communications number comprises a telephone number (col. 5, line 24- col. 6, line 30).

Regarding claim 29, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise an existing configuration (col. 4, lines 19-56; col. 5, line 6- col. 6, line 30).

Regarding claim 30, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise a new configuration (col. 4, lines 19-56; col. 5, line 6- col. 6, line 30).

Regarding claim 31, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise cellular telephone settings (col. 6, lines 6-19).

Regarding claim 32, Moon et al as modified discloses a Moon et al discloses a system for configuring a wireless device (figs. 1-2, fig. 4), wherein the selected settings comprise cordless telephone settings (col. 3, lines 6-19; col. 4, lines 5-18).

Response to Arguments

3. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

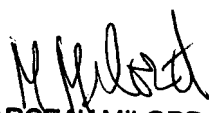
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marceau Milord
Primary Examiner
Art Unit 2618

MARCEAU MILORD


MARCEAU MILORD
PRIMARY EXAMINER